

ment and 30 packages of Sill's Powder Foot Treatment, alleging that the articles had been shipped on or about February 17 and March 27, 1942, by the Sills Company from Vinita, Okla.

Analysis of a sample showed that the composition of the two products was the same, consisting essentially of salicylic acid, small proportions of bismuth subcarbonate, ammonium alum, boric acid, and aspirin in a base of talc.

The article was alleged to be misbranded in that the statements made in the labeling, which represented and suggested that it was an effective treatment for the relief of feet that itch, scald, crack, blister, burn, ache, swell, and tire quickly, for offensive perspiring feet, painful, calloused feet, and as a general skin remedy; that it would check foot and skin disorders at their start; that it would afford relief for externally caused skin disorders on any part of the body; that it would gradually replace infected, germ-infested, growth-covered, and offensive tissues with a normal epidermis with unobstructed pores which would allow an evenly divided inoffensive perspiration; and that it would be an effective treatment for corns on top of toes, warts, and deeply embedded callouses, trench foot, chilblains, tender spots on feet, ingrown nail discomfort, bunion discomfort, sore corns, itch, water poisonings, poison ivy, impetigo, or 'summer sores,' itching of eczema, scalp irritations, fever blisters, pimples, and irritations, itching piles, checking boils, animal sores, and for mange or similar skin disorders on cats and dogs, were false and misleading since it would not be effective for such purposes.

On October 27, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

#### DRUGS FOR VETERINARY USE \*

**893. Misbranding of GarJEX and Bre-Tone. U. S. v. Near's Food Co., Inc. Plea of guilty. Fine, \$150. (F. D. C. No. 7713. Sample Nos. 84365-E, 84366-E, 86226-E.)**

On November 10, 1942, the United States attorney for the Northern District of New York filed an information against Near's Food Co., Inc., Binghamton, N. Y., alleging shipment on or about July 25, 1941, and February 18, 1942, from the State of New York into the States of Illinois and New Jersey of quantities of GarJEX and Bre-Tone which were misbranded.

Analyses of samples of the GarJEX showed that it consisted essentially of hexamethylenetetramine, manganese, cobalt, copper, iron, sodium, magnesium and potassium salts including iodides, sulfates and chlorides, together with sulfur and plant material; one sample was found to contain some phosphate and nitrate. It was alleged to be misbranded in that certain statements in its labeling which represented and suggested that it would be efficacious in the cure, mitigation, treatment, or prevention of mastitis or garget, were false and misleading, since the article would not be efficacious for such purposes. It was alleged to be misbranded further in that the name "GarJEX," borne on the label, was misleading since the article was recommended for use as a veterinary drug for administration to cows, and the name suggested and created in the minds of purchasers the impression and belief that it would be efficacious in the cure, mitigation, treatment, or prevention of garget of cows, whereas it would not be efficacious for such purpose.

Analysis of a sample of the Bre-Tone showed that it consisted essentially of salt, epsom salt, calcium diphosphate, cobalt, copper, manganese probably as sulfates, iron probably as oxide, strychnine, potassium iodide and plant material. It was alleged to be misbranded in that certain statements in the labeling which represented and suggested that it would be efficacious as a breeding tonic for cattles, horses, and hogs; that it would be an efficacious treatment for sterility in cattle, horses, and hogs which was not due to diseased conditions of the reproductive organs, were false and misleading since it would not be efficacious for such purposes. It was alleged to be misbranded further in that the name "Bre-Tone" borne on the label and appearing in the circular was misleading since the article was recommended for use as a veterinary drug for administration to horses, cattle, and hogs, and the name suggested and created the impression in the mind of the reader that it would be efficacious as a breeding tonic for horses, cattle, and hogs, whereas it would not be efficacious for such purposes.

On January 26, 1943, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$150.

\*See also Nos. 874, 891, 892.